

Upon receipt of proof that such a declaration has been made in both this Court and the relevant California court, this Court will dismiss the pending Motion to Compel.

Accordingly,

IT IS HEREBY ORDERED that FURminator's Second Motion to Compel and Incorporated Memorandum in Support [doc. #107] will be dismissed upon receipt of the declaration.

Dated this 27th Day of July, 2009.

A handwritten signature in black ink, appearing to read "E. Richard Webber", written over a horizontal line.

E. RICHARD WEBBER
UNITED STATES DISTRICT JUDGE